

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Local Government, to which was referred Senate Bill No. 246, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
- 2 "SECTION 1. IC 5-4-1-18, AS AMENDED BY P.L.146-2008,
- 3 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JANUARY 1, 2010]: Sec. 18. (a) Except as provided in subsection (b),
- 5 the following city, town, county, or township officers and employees
- 6 shall file an individual surety bond:
- 7 (1) City judges, controllers, clerks, and clerk-treasurers.
- 8 (2) Town judges and clerk-treasurers.
- 9 (3) Auditors, treasurers, recorders, surveyors, sheriffs, coroners,
- 10 assessors, and clerks.
- 11 (4) Township trustees.
- 12 (5) Those employees directed to file an individual bond by the
- 13 fiscal body of a city, town, or county.
- 14 (6) Township assessors (if any).
- 15 (b) The fiscal body of a city, town, county, or township may by
- 16 ordinance authorize the purchase of a blanket bond or a crime
- 17 insurance policy endorsed to include faithful performance to cover the
- 18 faithful performance of all employees, commission members, and
- 19 persons acting on behalf of the local government unit, including those
- 20 officers described in subsection (a).
- 21 (c) The fiscal bodies of the respective units shall fix the amount of

the bond of city controllers, city clerk-treasurers, town clerk-treasurers, Barrett Law fund custodians, county treasurers, county sheriffs, circuit court clerks, township trustees, and conservancy district financial clerks as follows:

(1) The amount of **annual coverage** must equal ~~fifteen~~ **thirty** thousand dollars ~~(\$15,000)~~ **(\$30,000)** for each one million dollars (\$1,000,000) of receipts of the officer's office during the last complete fiscal year before the purchase of the bond, subject to subdivision (2).

(2) The amount of **annual coverage** may not be less than ~~fifteen~~ **thirty** thousand dollars ~~(\$15,000)~~ **(\$30,000)** nor more than three hundred thousand dollars (\$300,000).

County auditors shall file bonds ~~in amounts that provide annual coverage~~ of not less than ~~fifteen~~ **thirty** thousand dollars ~~(\$15,000)~~ **(\$30,000)**, as fixed by the fiscal body of the county. The ~~amount of~~ **annual coverage** of the bond of any other person required to file an individual bond shall be fixed by the fiscal body of the unit at not less than ~~eight fifteen~~ thousand ~~five hundred~~ dollars ~~(\$8,500)~~ **(\$15,000)**.

(d) A controller of a solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal) shall file an individual surety bond in an amount:

(1) fixed by the board of directors of the solid waste management district; and

(2) that ~~is~~ **provides** at least ~~fifteen~~ **thirty** thousand dollars ~~(\$15,000)~~ **(\$30,000)** in **annual coverage**.

(e) Except as provided under subsection (d), a person who is required to file an individual surety bond by the board of directors of a solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal) shall file a bond in an amount fixed by the board of directors.

(f) In 1982 and every four (4) years after that, the state examiner shall review the bond amounts fixed under this section and report in an electronic format under IC 5-14-6 to the general assembly whether changes are necessary to ensure adequate and economical coverage.

(g) The commissioner of insurance shall prescribe the form of the bonds or crime policies required by this section, in consultation with the commission on public records under IC 5-15-5.1-6."

Page 2, delete lines 1 through 39.

Page 3, delete lines 14 through 42.

Delete page 4.

Page 5, delete lines 1 through 4.

Page 8, after line 34, begin a new paragraph and insert:

1 "SECTION 10. [EFFECTIVE JANUARY 1, 2010] **(a) IC 5-4-1-18,**
2 **as amended by this act, applies only to an agreement or a contract**
3 **entered into, renewed, or extended after December 31, 2009.**
4 **(b) This SECTION expires January 1, 2015."**
5 Renumber all SECTIONS consecutively.
 (Reference is to SB 246 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 10, Nays 0.

Senator Lawson C, Chairperson